

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BEN ROOD, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

R&R EXPRESS, INC.,

Defendant.

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2:17-cv-1223-NR

CASE MANAGEMENT ORDER

The Court held a telephonic status conference on August 25, 2020, and based on the discussion at that conference, issues the following schedule:

Discovery Deadline

1. Fact and expert discovery shall be completed by **December 15, 2020**. The discovery deadline shall be extended only by leave of court, and only upon motion filed before the expiration of such deadline. The motion shall: (a) specify discovery that has been completed to date; (b) state with specificity the reasons for the requested extension; (c) list any previous extensions of discovery; and (d) attach a proposed order that establishes the extended pretrial schedule being requested. Any such motion shall contain a certificate of conferral as required by Local Rule 16.1.B.3.

2. The parties shall meet and confer regarding all discovery disputes. If a dispute is not resolved, then instead of filing a discovery motion, a party shall first set up a telephonic or in-person status conference with the Court. If a dispute remains unresolved following the status conference, the Court will issue a briefing schedule to decide the discovery dispute. In connection with those briefs, each interested party shall submit a carefully crafted proposed

order along with its brief, which should include in it the precise relief requested and the amount of any attorneys' fees and costs to be awarded. If appropriate, the Court will decide the dispute by executing one of the party's proposed orders.

Motions for Final Class/Collective Certification or Decertification

3. Any motions for final certification of the FLSA collective class and for class certification of the PMWA class shall be filed by **January 14, 2021**. Any motion for decertification of the FLSA collective class shall be filed by **January 14, 2021**. Briefs in support of these motions shall not exceed 25 pages in length.

Responses shall be filed by **February 11, 2021** and are limited to 25 pages. Replies, if any, shall be filed by **February 18, 2021** and are limited to 10 pages.

Summary Judgment

4. During the status conference, the parties indicated that they may file motions for summary judgment. If Plaintiff wishes to move for summary judgment before the Court issues final rulings on certification/decertification, he must first file a motion for leave addressing the one-way intervention rule.

DATED this 26th day of August, 2020.

BY THE COURT:

/s/ J. Nicholas Ranjan
United States District Judge